



APR 16 2002

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In re Application of CHARLES et al	:	
U.S. Application No.: 10/049,428	:	DECISION ON PETITION
Int. Application No.: PCT/GB00/02932	:	
Int. Filing Date: 28 July 2000	:	UNDER 37 CFR 1.137(b)
Priority Date: 30 July 1999	:	
Attorney Docket No.: HO-P02380US0	:	
For: INDUCIBLE SCREEN FOR DRUG	:	
DISCOVERY	:	

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 11 February 2002.

### **BACKGROUND**

On 28 July 2000, applicant filed international application PCT/GB00/02932, which claimed priority of an earlier United Kingdom application filed 30 July 1999. A copy of the international application was communicated to the USPTO from the International Bureau on 08 February 2001. A Demand for international preliminary examination, in which the United States was elected, was filed on 27 February 2001, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 30 January 2002.

International application PCT/GB00/02932 became abandoned as to the United States at midnight on 30 January 2002 for failure to pay the basic national fee.

On 11 February 2002, applicant filed the present petition. The petition states that it is accompanied by a proper response under 35 U.S.C. 371, the petition fee set forth in 37 CFR 1.17(m), and a statement that abandonment of the application was unintentional.

### **DISCUSSION**

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless

previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

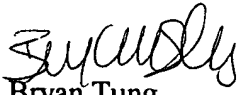
With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be submitted.

  
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